

# RECLAMATION

*Managing Water in the West*

## Draft Finding of No Significant Impact

# Westlands Water District, San Luis Water District and the Metropolitan Water District of Southern California 2010-2011 Water Exchange and Transfer Program

FONSI-10-71

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# Introduction

## Background

Three full years of drought followed by continued dry conditions early in the 2010 rainfall season resulted in reduced south-of-Delta Central Valley Project (CVP) water allocations. This situation was followed by extraordinarily high late season rainfall throughout the state. Water supply allocations however, remained below 50 percent levels for both the State Water Project (SWP) and CVPs contractors relying on Delta exports south-of-Delta because of the severity of the drought. The recovery from three consecutive years of drought will take more than one year to rectify, and options to expedite a recovery should be considered. It is anticipated that in this fourth year of reduced water supply allocations, the California Department of Water Resources (DWR) and the Bureau of Reclamation (Reclamation) will continue to expedite water transfers and exchanges, and the State Water Resources Control Board (SWRCB) will again approve the consolidation of the places-of-use and the points-of-diversion between the SWP and CVP to facilitate those transfers and exchanges.

Westlands Water District (WWD) and San Luis Water District (SLWD), hereafter referred to jointly as the “Exchangers”, each receives their principal water supplies under contract with Reclamation. Due to ongoing constraints on their CVP water supplies, the Exchangers are consistently experiencing water shortages and have pursued various options to obtain supplemental water to their CVP supplies. As a result, the Exchangers acquired substantial additional water supplies in 2009 at significant expense that were carried over for use in 2010. Due to an unexpected increase in 2010 water allocations, the Exchangers now have water stored in San Luis Reservoir (SLR) that is surplus to their 2010 water needs.

Reclamation proposes to approve the exchange of up to 150,000 af of CVP water between the Exchangers and MWD. More specifically, Reclamation proposed to approve an exchange in which the Exchangers would deliver 150,000 af of CVP water to MWD. In exchange, MWD would deliver up to 100,000 af (two-thirds of total CVP water) of SWP Table A water to the Exchangers by September 30, 2011. Additionally, Reclamation proposes to approve the transfer of up to 50,000 af (one-third of the total CVP water) from the Exchangers to MWD.

This Finding of No Significant Impact is supported by the following:

## Findings

### Water Resources

#### No Action Alternative

Under the No Action Alternative, Reclamation would not approve the proposed exchange and transfer program. The Exchangers would retain their CVP supplies and use them as allowed under their respective contracts. Any water remaining undelivered at the end of the water year would be at risk of spill and loss.

Likewise, MWD would continue to seek other sources of water to replenish their depleted reserves stored, increasing pressure on water markets and potentially increasing Delta exports.

## **Action Alternative**

Under the Action Alternative, the Exchangers will convert via the exchange a portion of their 2010-11 water supplies (made surplus as a result of low initial allocations and late allocation increases) into supplies that can be assured for delivery in 2011-2012. Likewise, MWD will utilize the exchanged CVP supplies in 2010 to replenish depleted reserves.

The Exchangers have water available that is surplus to their current year operational needs, and will benefit by converting this surplus into water that can be utilized next year. MWD currently has storage capacity available, and it will benefit by being able to move and store up to an additional 150,000 af of water in their facilities.

The CVP and SWP facilities will not be impacted as the Action Alternative must be scheduled and approved by Reclamation and DWR. Additionally, the transfer must be conducted in a manner that will not harm other CVP contractors or other CVP contractual or environmental obligations, or SWP contractors. Therefore, there will be no impact to normal operations of the facilities.

Although MWD will receive an increase of up to 150,000 af of water, this will occur only in a year when this water is surplus to the Exchangers and when Article 55 conveyance arrangements are utilized. The conveyance of water under Article 55 is subject to capacity in the Aqueduct and meeting all SWP requirements. Water will be delivered for storage in existing facilities and ultimately used for existing Municipal and Industrial (M&I) uses.

MWD may incorporate Central Valley groundwater storage involving Arvin-Edison Water Storage District, Semitropic Water Storage District or Kern-Delta Water District. The operation of these banking programs was analyzed as a condition of their construction, and any additional banking operations associated with this project will be conducted under the same operational regulation that govern other banking operations.

The exchange will enhance the water resources available to both Exchangers and MWD without increasing Delta exports.

## **Land Use**

### **No Action Alternative**

Under the No Action Alternative, Reclamation would not approve the proposed exchange. Because this water is surplus to the current year needs, landowners in the Exchangers' service areas would continue to finish out their 2010 crops, and no land use changes would be anticipated this year. Should the Exchangers attempt to reschedule to next year's supply, there is the possibility that this water will likely be "spilled" and increased land fallowing could occur in 2011.

No land use changes are anticipated in MWD under the No Action Alternative, as this water was to be used to replenish storage reserves, and not as a new water supply that could facilitate growth.

## **Action Alternative**

Under the Action Alternative, there will be no land use changes within the Exchangers' service areas in 2010 as their water supplies will not be reduced below anticipated demands. There could be a positive impact on agricultural land use within the Exchangers' service areas compared to the No Action Alternative due to the ability of the landowners to make planting decisions for 2011 with the knowledge that up to 100,000 af will be returned to them in addition to their allocated 2011-2012 CVP supply.

The conveyance of water under Article 55 is subject to capacity in the Aqueduct and meeting all SWP requirements. Due to the unique availability of this water, the Action Alternative will not lead to long-term land use changes. The water supplies are surplus to the Exchangers and do not provide a reliable or consistent amount that could be considered growth inducing in MWD. Water will be delivered to storage in existing facilities and ultimately used for existing M&I uses. However, because no new long term supply is involved, the exchange will not facilitate growth.

## **Biological Resources**

### **No Action**

Under the No Action Alternative, it is anticipated that, in response to not having up to 100,000 af of supplemental water available in 2011 and a potentially low initial allocation, there would be continued, and in some cases, additional land fallowing within the Exchangers' service areas in 2011. The effects of continued land fallowing on listed species is anticipated to be negligible, as most of the habitat types required by species protected by the Endangered Species Act (ESA) do not occur in the action area. As this water was only to be used to bolster storage reserves, no biological resources are anticipated to be affected.

### **Action Alternative**

The effects are similar to the No Action Alternative. Most of the habitat types required by species protected by the ESA do not occur in the Action area. The Action will not involve the conversion of any land fallowed and untilled for three or more years or any new development. While the Action Alternative could reduce the potential for fallowed acreage, it will not substantially change the land use patterns of the cultivated or fallowed fields that may have some value to listed species or to birds protected by the Migratory Bird Treaty Act (MBTA). Since no natural stream courses will be utilized as part of the Action Alternative, there will be no effects on listed fish species. No changes in Delta exports or operations will occur, so no impacts on species utilizing the Delta will occur.

The aspect of the Action Alternative that is of possible concern, environmentally, is the unbalanced nature of the exchange. However, the net amount of water that will remain in MWD will be utilized to replenish depleted storage reserves. The 150,000 af of water that will be involved in the exchanges are supplies already allocated to the Exchangers and no additional water supplies will be diverted from rivers or lakes. No new construction or points of diversions will be required. However, slight changes in timing and locations of when and where water is diverted and stored south of the Delta could occur, and there may be small changes in water

levels within MWD. These reservoir level changes will be within normal operating levels, as the reservoirs are below capacity due to drought conditions. These changes will not impact any federally listed or proposed species or critical habitat.

The relatively small amounts of water associated with the Proposed Action (when compared to the total amounts of water supply delivered) and the requirement that no native lands be converted without consultation with USFWS will preclude impacts to wildlife, including federally listed species. Habitat for listed species is mostly absent in the vast agricultural areas where small declines in fallowed ground may occur, and listed species will not be affected by these small short term changes in the vast agricultural area.

## **Cultural Resources**

### **No Action**

Under the No Action Alternative, Reclamation would not approve the water exchange and there would be no Federal undertaking. Conditions related to cultural resources would remain the same as existing conditions. There would be no impacts to cultural resources under the No Action alternative.

### **Action Alternative**

Transferring water as described in the Action Alternative is an undertaking as described in Section 301(7) of the NHPA, initiating Section 106 of the NHPA and its implementing regulations at 36 CFR Part 800. All transfers will occur through existing facilities and water will be provided within existing service area boundaries to areas that currently use water. The Action Alternative will not result in modification of any existing facilities, construction of new facilities, change in land use, or growth. Since Reclamation determined that the Action Alternative is the type of activity that has no potential to affect to historic properties pursuant to the regulations at 36 CFR Part 800.3(a)(1), no cultural resources will be impacted as a result of implementing the Proposed Action.

## **Indian Trust Assets**

### **No Action Alternative**

The No Action Alternative is similar to the Proposed Action. Historical diversions and water deliveries would continue as in the past. Therefore no impacts to ITA would occur.

### **Action Alternative**

Approval of the transfers between the Exchangers and MWD will not involve any construction on lands or impact water, hunting, and fishing rights associated with the nearest Public Domain Allotment. Therefore, the Action Alternative does not have a potential to affect ITA

## **Socioeconomic Resources**

### **No Action Alternative**

Under the No Action Alternative, economic conditions in the vicinity of the Exchangers could worsen. As agricultural land continues to be taken out of production as a result of the uncertainty associated with low initial allocations and unknown supplemental supplies, there would be a

decreasing need for farm labor, and farm equipment and supplies. The economic impacts of reduced agricultural production could adversely impact the affected environment.

### **Action Alternative**

The Action Alternative will allow the Exchangers to convert water that is surplus to their current year operational needs into a supply that could be utilized next year to supplement CVP allocations. This will help maintain the stability of the agricultural market and economic vitality for the San Joaquin Valley to a certain degree. The exchange is a temporary action and will provide short-term beneficial impacts to socioeconomic conditions in the affected region.

Likewise, MWD currently has available storage capacity, and it will benefit by being able to move and store up to an additional 150,000 af of water in these facilities.

### **Environmental Justice**

#### **No Action Alternative**

The No Action Alternative could result in harm to minority or disadvantaged populations within the vicinity of the Exchangers service areas because lands could be temporarily or perennially taken out of agricultural production, resulting in reduced need for farm labor.

### **Action Alternative**

The Action Alternative could reduce dislocation and promote continued employment within the affected environment. The Action Alternative will not disproportionately impact economically disadvantaged or minority populations. Employment opportunities for low-income wage earners and minority population groups will be within historical conditions.

### **Air Quality**

#### **No Action Alternative**

Under the No Action Alternative, there would be no impacts to air quality since conditions would remain the same as the existing conditions.

### **Action Alternative**

Under the Action Alternative, movement of water between Exchangers and MWD will be done via gravity flow and/or pumped using electric motors which have no emissions. The air quality emissions from electrical power have been considered in environmental documentation for the generating power plant. There are no emissions from electrical motors and therefore a conformity analysis is not required under the CAA and there will be no impact on air quality.

### **Global Climate**

#### **No Action Alternative**

Implementation of the No Action Alternative would involve no change on the composition of GHG in the atmosphere and therefore would not contribute to global climate change.

**Action Alternative**

The emissions from the generating power plant to provide the electricity needed to convey up to 50,000 af of water are small when compared to the overall water supplies and power used each year to move water where it is needed. GHG generated by the project is expected to be small compared to other sources contributing to potential climate change, and while any increase in GHG emissions would add to the global inventory of gases that would contribute to global climate change, the Action Alternative will result in minimal increases in GHG emissions and a net increase in GHG emissions among the pool of GHG will not be detectable.

**Cumulative Impacts**

The Action Alternative was found to have no adverse impacts on water, biological, and cultural resources, ITA and environmental justice. The Action Alternative is a one-time, temporary action, and when added to other actions do not contribute to cumulative adverse impacts to existing environmental conditions. Slight beneficial impacts to land use and socioeconomics will be short-term and within historical variations, and will not contribute to cumulative impacts.

Coordination to schedule the deliveries for all these actions will be required with the appropriate overseeing agency to ensure that the normal operations of the facilities involved will not be hindered. Overall, there will be no cumulative impacts from the Action Alternative.